

1 Q Okay. In this break room there are --
2 there is a file cabinet; is that right?

3 A That's -- yes, sir.

4 Q Are there other storage areas in that
5 break room?

6 A Well, there's a file cabinet here, and
7 that's one of those where you lift the door and slide
8 it back. And I've got paper in there, I've got other
9 office materials. And then -- and that's right there.
10 And then the file cabinet here is one of those
11 four-drawer pull outs.

12 And I've got, you know, in the first
13 drawer I've got coffee stuff, you know, cups and spoons
14 and forks and plates. And then as you go down I've got
15 greeting cards, I've got get well cards, birthday
16 cards, sympathy cards and all sorts of things, stuff we
17 use in the office.

18 Then, of course, there's a table here.
19 I've got my own personal microwave. The refrigerator
20 sits between the filing cabinet and there, and the door
21 here, three chairs, and now there is another chair
22 there.

23 Q Let me make a statement, and if you
24 would, react to it; that's wrong, that's right, or add
25 to it. If I thought that Tara Pisano was working on a

1 journal and spent time in your break room with her best
2 friend discussing personal things, I might be
3 interested in looking in that room to see if I could
4 find it.

5 A True.

6 Q Places in there where you could hide
7 papers or documents?

8 A True.

9 Q Or at least store them?

10 A Yes.

11 Q If I wanted to be Chief Judge and thought
12 that Judge Holder might be undermining my process, and
13 I wanted copies of his e-mails or something, I might
14 want to look on a desk or a credenza or something?

15 A True.

16 Q Can you tell the Grand Jury what is
17 located, if anything, on this wall right here near the
18 back of your private office?

19 A Currently there is a photograph taken in
20 August of 1974. In August of 1974 I was a senior or a
21 firstie of the United States Military Academy.

22 In August I reported to West Point and
23 had a squad of plebes, of freshmen, at the Military
24 Academy. The freshmen or plebes go through what's
25 called east barracks. It's two months, of pretty

1 intensive, pretty rigorous training. And I was on the
2 second month of that training. And I came back to West
3 Point after having gone on leave for 30 days and, let's
4 see, where else was I?

5 Well, I went to Germany the summer before
6 that and had a tank platoon. So that summer I had some
7 military training, took leave, came back to train the
8 plebes. Of course, they had already gone through a
9 month.

10 We were marching in formation on what's
11 called The Plain at West Point. It's a beautiful area.
12 It looks like several football fields together.
13 They've expanded it since 1975 when I graduated, but
14 it's absolutely magnificent and immaculate, and the
15 West Point Band plays, and, I mean, if you go there and
16 you watch this process and all these now men and women,
17 when I was there it was all men, marching across The
18 Plain, it's just one of those very moving experiences,
19 at least it is for me, and still to this day when I go
20 back and watch that.

21 But in August of 1974 we had a parade, a
22 training parade, with the band and the entire company
23 was marching. My company was in formation and they
24 took a training photograph. And somehow I ended up
25 with that training photograph.

1 It's about, what is that, about maybe
2 three feet by two-and-a-half feet. It's in black and
3 white. And I kept it rolled up for about 15 years.
4 And finally my wife looked at it, found it one day in
5 the attic and said, "I'm going to get that framed."
6 And so she took it and got it framed.

7 And although it's in black and white,
8 which I think adds to it, and it's right there with
9 Washington Hall in the background, but you can actually
10 look at the rows and the diagonals to check the
11 alignment, and that's what this training photo was used
12 for.

13 So it's got all of the seniors or
14 firsties up in the front row with the white hats on,
15 and then all the plebes back behind them with their
16 gray hats. I'm in that photograph. Obviously it was
17 26 years ago. And that is on that wall, and I think
18 was on that wall July 27th.

19 Q Well, that's my next question.

20 A Yeah.

21 Q Was it on a wall other than this prior to
22 that time?

23 A Yeah. Yeah. It's always been on this
24 wall. And I moved it, and I don't remember when I
25 moved it because -- but I think it was after July 27th.

1 I don't think it was on that wall July
2 27th, but I can't exactly remember. A friend of mine,
3 Dick Matt, who owns The Flyer, gave me the movie poster
4 from the movie "Tombstone." And it's got Kurt Russell,
5 Sam Elliott, and Bill Paxton and Val Kilmer marching
6 down to the O.K. Corral, and it says, "Justice is
7 coming." I kind of liked that. So it's a message for
8 those getting divorced. But I put that up there. But
9 I don't think that --

10 Q Have you heard Judge Bonanno suggest or
11 read that one of the things he was doing in your office
12 fixing to leave and he saw the picture of you marching?

13 A I have read that he was mesmerized by a
14 photograph in my office.

15 Q Could he be talking about a photograph
16 other than the one you're talking about?

17 A He could be talking about any photograph.
18 I've got a photograph -- I've got a poster of General
19 Swartzkopf, you know, when he returned from Desert
20 Storm.

21 Q Do you have any other pictures of you
22 marching?

23 A No.

24 Q Okay. All right. Because I believe
25 that's what he indicated.

1 A Okay.

2 Q It was a picture of you marching. At
3 some point on the evening of July 27th maybe, your wife
4 called you and said that your bailiff is looking for
5 you?

6 A Approximately 5:30 p.m. I received an
7 emergency phone call. I was at the visiting officer's
8 quarters at Langley Air Force Base, Virginia, just
9 finished a days' work, and was in the process of
10 changing clothing, was going to go for a run along the
11 water there. It's a beautiful area.

12 Got an emergency phone call from Captain
13 Elizabeth Waldrop. Captain Waldrop is the Executive
14 Officer to Brigadier General Jack Rives, who is the
15 Staff Judge Advocate for Air Combat Command, the head
16 lawyer.

17 Captain Waldrop indicated that Dee
18 Kabliska, she didn't know that Dee was my wife, had
19 called with an emergency. I said, "Oh, my God, that's
20 my wife and my father-in-law just died." And obviously
21 we have two children and my wife does not ever use the
22 word "emergency," so I was concerned.

23 And I hung up with Captain Waldrop,
24 immediately called home, said, "What's the matter?"
25 And she said, "It's not me, it's Deputy Sylvia Gay.

1 She needs to speak to you immediately."

2 I paged Deputy Gay. She called me right
3 back up at Langley and indicated that -- she was
4 extremely shaken and indicated that she had come back
5 to the office about 5:20, 5:30 p.m. that evening,
6 Thursday, had unlocked the door, had entered the door,
7 and had sensed that someone was in. Saw the light on
8 in my private office and, but no other lights on, and
9 had called out twice. No answer, no response either
10 time with hesitation in between the two calls. Really
11 knew somebody was in there, saw a shadow, and then
12 Judge Bonanno had appeared suddenly, and she was
13 extremely shaken.

14 Q I mean this, I'm not kidding. I want you
15 to tell the Grand Jury after all this time to think
16 about it, name for them at least one legitimate reason
17 that he was in your office.

18 A There are no legitimate reasons for Judge
19 Bonanno to be in my office at 5:20 p.m. on July 27,
20 2000, none, zero, zip, nada.

21 Q That's not exactly what I asked for
22 but -- you really cannot think of any reason at all for
23 him to be in there?

24 A None, zero, zip, nada, correct.

25 Q As a result of that, you had some

1 communications with the Chief Judge?

2 A I e-mailed the Chief Judge twice after I
3 unscrewed myself from the ceiling. And I'm speaking
4 figuratively. I was extremely mad. The first e-mail,
5 and I'll paraphrase, was sent from my private commuter,
6 which I carried with me to Langley Air Force Base,
7 Virginia using my AOL account was, "What has Bobby been
8 up to? Do you want to tell me or should I ask him?"

9 About 15 minutes later, as I calmed down
10 a bit, I sent another e-mail demanding a meeting on
11 Monday and putting in information, I don't remember the
12 exact words, that Judge Bonanno had been discovered in
13 my office by Deputy Gay, and that I demanded a meeting
14 with he, the Chief Judge, Judge Bonanno, court counsel
15 David Roland, and myself first thing Monday morning. I
16 wanted him to set it up and call me.

17 Q Did you have that meeting?

18 A Yes, sir, we did.

19 Q Tell us about it.

20 A The meeting was set for 8:00 a.m. that
21 Monday morning. I arrived at -- down at Chief Judge
22 Alvarez' office at 8:03 a.m. Judge Bonanno was seated
23 in the wing-back chair to the right; Mr. Roland, court
24 counsel, to the other wing-back chair to the right. I
25 sat on the couch across from Chief Judge Alvarez.

1 Judge Alvarez was seated at his desk.

2 I immediately began the meeting by
3 thanking the Chief Judge for setting it up. And I then
4 began to speak stating, you know, "Dennis, when I left,
5 we had had a meeting on the 24th, Monday the 24th, to
6 try to air out this e-mail thing," some of the remarks
7 he had made to the press.

8 He was extremely upset when he talked to
9 the Times that night when he told them about my e-mail
10 and said some things that at least I hope he wished
11 that he hadn't said. But anyway, we're both adults and
12 we had had a pleasant discussion on the 24th and aired
13 it out a little bit and tried to continue what I
14 thought had always been a professional relationship
15 between Judge Alvarez and myself.

16 And before I left that meeting on Monday,
17 the 24th, I said to Judge Alvarez, I said, "Look, I
18 know Bobby's real upset. I've heard that. You better
19 calm him down and don't let him do anything foolish."

20 And because, obviously, Gaspar Ficarrotta
21 had come to me saying that Bonanno wanted to be Chief
22 Judge, and I had said when cows could fly, and I knew
23 Bobby knew that. And I had heard that Judge Bonanno
24 was upset, so I said, "Calm him down, just, you know,
25 let's just get our relationship back on track. We're

1 all doing our job. There's 49 of us men and women, and
2 let's return some decency to this circuit," you know,
3 recognizing that we disagreed on some issues. And he
4 said he would.

5 So I left to go off on military duty.
6 You know, I reminded him once again that I was leaving
7 on a Wednesday at that point, and then that changed the
8 next day when I cracked this tooth. And so I thought
9 things were fine when I left, but obviously they
10 weren't I guess.

11 Q That Monday morning meeting that you had
12 when you returned, would you classify that as a
13 successful meeting?

14 A No, it was extremely unsuccessful. As I
15 was saying, and I got a little bit off track, I
16 apologize, I started the meeting by saying, you know,
17 "Dennis, I thought we had aired this out." And Judge
18 Bonanno then interrupted me and said, "When am I going
19 to get to say something?" I said, "Well, go ahead."

20 And he then started explaining that he
21 had just come to see me. And then he said, "How dare
22 you think anything nefarious could have occurred." And
23 at that point his reason for being in my office,
24 briefly explained, was in my opinion an absolute lie.

25 Q What was his reason? I'm sorry to

1 interrupt you.

2 A He said he had come to see me about a
3 matter. He didn't specify what matter. And at that
4 point he never said he came in that door, never said
5 that door was open, he had just come to see me. And I
6 didn't buy that at all.

7 And then he obviously challenged me and
8 said, "How dare you think anything nefarious had
9 occurred." And, of course, that -- when I hadn't told
10 him that anything nefarious had occurred.

11 But at that point I terminated the
12 meeting. And I told the Chief Judge the meeting, as
13 far as I was concerned, was over, and that I would come
14 back down and talk to the Chief Judge without Judge
15 Bonanno, without Mr. Roland after I had a cup of coffee
16 and calmed down a bit. Because I felt that Judge
17 Bonanno had not offered a legitimate excuse for being
18 there, just kind of hemmed and hawed. There was no
19 legitimate reason and he didn't offer me one then, and
20 then had insulted me by saying, "How dare you think
21 anything nefarious had occurred."

22 And I'd heard about all I needed to hear
23 at that point, and went back and finished typing the
24 letter that I had typed -- I had started typing the
25 letter Sunday but didn't finish it. I wanted to wait

1 to hear what Judge Bonanno had to say.

2 I finished it then Monday morning after
3 my meeting with Judge Alvarez, Judge Bonanno, and court
4 counsel. I then went back and gave it to Judge Alvarez
5 demanding an investigation by both the JQC and law
6 enforcement.

7 Q Who is Mike Sheehan?

8 A Corporal Mike Sheehan is a Hillsborough
9 County Sheriff's officer assigned to the courthouse.
10 He's been assigned here as long as I've been around.

11 He is the only person generally in the
12 courthouse with actual law enforcement authority, i.e.,
13 he has arrest powers. Our bailiffs technically do not
14 have arrest powers. They can take somebody into
15 custody, but they must turn that person over then to
16 someone like Corporal Sheehan.

17 He is extremely close with Judge Gaspar
18 Ficarrota. They take vacations together, they go
19 places, they have dinner together, both alone
20 individually with each other and with their spouses,
21 and they are extremely, extremely close.

22 Q And how close is he with Judge Alvarez?

23 A I think very close, but not as close as
24 Judge Gaspar Ficarrota.

25 Q Does it strike you as logical, and it may

1 be, that if I as Chief Judge want a down and dirty or a
2 quick investigation done on what's happened that I
3 would go to Mike Sheehan, or would I call the Sheriff's
4 Office?

5 A Mike is not an investigator. So,
6 although I might start with Sheehan because of his
7 responsibilities, I would definitely contact Cal
8 Henderson and say get me the right person, an
9 investigator, someone that does this day in and day
10 out; get me your best man or woman to come do this job.

11 Q Are you aware that Sheehan, in fact, did
12 an investigation?

13 A Well, he called me the next day and said,
14 "Judge Alvarez asked me to conduct an investigation."
15 He asked me some quick questions. When I got back on
16 Sunday, I sent Mike Sheehan an e-mail demanding a copy
17 of his report. I wanted to know what the investigation
18 number was. I never, never, never got a response to
19 that e-mail.

20 Q To your knowledge was that investigation
21 completed by the time you had your Monday morning
22 meeting?

23 A I have no knowledge of that
24 investigation. I'm not even aware there is an
25 investigation or was an investigation. I know he

1 called me, asked a few questions, very few because I
2 was still on active duty and I had Air Force business
3 to tend to.

4 Q Are you aware of the relationship between
5 Sheehan and Judge Bonanno?

6 A I'm not.

7 Q Okay. I want to talk to you, and maybe
8 the best thing to do is to lead you through it, I don't
9 want to drag it out, but there's some points that are
10 contained in the Pisano diary, novel.

11 A I've called it a journal. She doesn't
12 like that word, okay. You can call it a diary, you can
13 call it notes, correspondence, memoranda, you can call
14 it a document, call it a diary, I call it a journal.
15 That's just a name, a word I gave to it.

16 Q Were you informed that she and Judge
17 Ficarrota had performed sex acts in Judge Ficarrota's
18 private office while you were holding jury trials in
19 the next room?

20 A Yes.

21 Q How were you informed of that?

22 A Deputy Pisano told me that and told me
23 that that was contained in the journal. If you want a
24 time frame, I'm going to estimate I heard tidbits about
25 sex acts in his private office around November-December

1 time frame while the Ward thing was still active.

2 But the majority of the information I
3 received with respect to those sex acts in Judge Gaspar
4 Ficarrotta's private office between Deputy Pisano and
5 Judge Gaspar Ficarrotta would have been relayed to me
6 by Deputy Pisano in or about March-April time frame of
7 this year.

8 Q Do you know if she was still working on
9 her journal at that point, or had it been completed and
10 she was just sharing the contents?

11 A To the best of my recollection she had
12 already completed that document, given it to the JQC in
13 or about early 2000.

14 Q All right. Let me ask you about a couple
15 of things that aren't sex acts.

16 A Thank you.

17 Q Were you advised that she had observed
18 large sums of money in Judge Ficarrotta's office?

19 A Yes, cash.

20 Q Tell us what you learned about that cash.
21 Was it his personal money? Was it someone else's
22 money?

23 A I never was told whose money it was. I
24 was just told that Judge Gaspar Ficarrotta kept large
25 sums of money in his private office, and that she,